

*Special Article.***Consent Essential To Federation-II**

By M. R. T.

THE final phase in the movement towards confederation began in 1864 both in Upper and Lower Canada and in the Maritime Provinces. In June of that year a committee of the Legislative Assembly, representing both Upper and Lower Canada reported in favour of "changes in the direction of a federal system". In September of the same year, the Government of Nova Scotia, New Brunswick, and Prince Edward Island sent delegates who assembled at Charlottetown to devise measures for a legislative union of the three Provinces. When the Canadian Government heard of the conference at Charlottetown it decided to send a delegation to bring before the Legislative Assembly the much greater question of the union of all the Canadian Provinces. At that time a coalition Government was in power in Canada. The French and the British parties which respectively represented Lower and Upper Canada had agreed to reconcile their party differences in view of the rising tide of public opinion which was tending towards Union. The delegates of the Canadian Government were cordially received at Charlottetown Conference and after a full discussion of a Federal union of all the British North American Provinces, it was decided to hold a conference at Quebec to advance this end under the sanction of the Imperial Government which so far had maintained an attitude of strict neutrality. The Quebec Convention sat in private for 18 days and the outcome of the discussion of 33 men who composed it, was an elaborate document of 72 resolutions which was subsequently submitted to the Imperial Government and became the foundation of the Act of Union. The Convention enjoyed the full support of French members of the Canadian Legislative Assembly, the only party which should have opposed a scheme of federation. But on the British side, though it commanded the confidence of the delegates from the maritime Provinces and Upper Canada, it was privately opposed by a section of the British who were republicans at heart and were in favour not of a union of the

Provinces, but of annexation by the United States.

The London Conference of 1866 which was held to consider the 72 Quebec resolutions and was representative of delegates from Canada, and two maritime Provinces, but not of Prince Edward Island, adopted the original scheme after making some financial modifications to meet the objections raised by the maritime provinces. The Republicans, who now styled themselves as peoples' delegates and were in favour of union with U.S.A., came to London to place their views before the British Government but could not impress the latter as the scheme of federation served imperial interests. The alternative proposed by the peoples' delegates was a union with U.S.A. with a republican form of government which meant an irretrievable loss to the British Empire. In 1867, the British North America Act was finally passed but even then the Act did not bring about a complete union of the whole of Canada. It united the old Provinces of Ontario and Quebec, Nova Scotia and New Brunswick, but still large parts of Canada were free to manage their own affairs.

Exception

Prince Edward Island, Newfoundland, British Columbia, Rupert's Land, and the great and at that time ill-defined territories of the North West were still excluded from the purview of the Act. Subsequently the Imperial Government ceded to Canada, the Hudson Bay Territory, out of which were created the Provinces of Manitoba, Saskatchewan, Alberta, and N. W. Territories. In 1871, British Columbia with Vancouver Island and in 1873, Prince Edward Island entered the confederation. Thus, with the exception of Newfoundland which has so far held aloof to preserve its own special position, the whole of British North America has willingly accepted the role of the British Dominion of Canada.

A brief review of the facts detailed above will reveal that the Federal Constitution of Canada was the result of the free discussion among the representatives of French and British parts of Canada, that prior to Federation, there had developed a strong sentiment among the French and the British for Union with other provinces, and that this sentiment derived its strength from an appeal to their own personal interests. Both the British and French parts of Canada wanted Federation as they were alive to the advantage "of the splendid opportunities presented by an everexpanding territory" and the steady growth of population and resources. The Maritime Provinces, as well as Ontario and Quebec were all eager to share in the economic exploitation of the vast territories in the North-West.

No Urge

No such economic urge exists in India which can unite Muslim and Hindu parts of India for a greater share in the economic exploitation of the country. In fact, the economic inequality between the two communities is so marked that one community is looked upon with suspicion by the other. The Hindu middle and upper classes possess wealth and influence out of proportion to their numerical strength and most of their public leaders are drawn from these classes. In Canada, the French were so strong in Quebec that they could hold their own successfully against the rival Province of Ontario. But yet this factor could not have induced them to remain content with the Act of Union if other weightier considerations had not claimed their attention. The desire to seek economic advantages and to share in the exploitation of a bigger Canada was strong enough to suppress the movement towards separatism.

Another factor which encouraged the desire towards union was the fear of annexation of Canada by the United States. The French being Roman

Catholic by creed and Latin by blood could not accept the role of a minority under the Anglo-Saxon protestant Republic of the U.S.A. which in view of its huge population would reduce them to a position of insignificance. No such fear haunts the imagination of Muslims in India. Union of Muslim parts of India with Hindu parts will place the Muslims at the mercy of a permanent hostile communal majority in the Central Government while complete separation of the Muslim parts will place them permanently in a position of majority. The French had to choose between two alternatives. Union with U.S.A. implied a total suppression of their political aspirations while union with British parts of Canada assured them of additional economic advantages in the exploitation of undeveloped territories in the West. Hence they chose the latter course. But the Muslims of India are neither threatened by any fear of aggression from their Muslim neighbours beyond the North-West Frontier nor they are induced by any additional economic advantages to such union with Hindu India. The French Canadians could not but sacrifice their independence as they are even now a minority of 3 millions in a population of 11 millions, and could not even if granted independence maintain it long as their state was enclosed between two hostile Anglo-Saxon Powers—the British Government and the U.S.A. The question of defence does not present insuperable difficulties to Muslim parts of India. The N.W. Frontier will lose its strategic importance the moment a Muslim government comes into power in the Punjab and the adjoining areas, while Hindu India will not be a source of threat as the latter will enter in its own interest into a treaty of peace with the new Muslim states in the North-West and North-East.

Lesson

The main lesson that one learns from a close study of Canadian history is that its Federal Government was not imposed upon the people against their will, but it was slowly evolved in response to the desire among the people towards Federation. The Maritime Provinces of Nova
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